

**BOARD OF COUNTY COMMISSIONERS  
AGENDA ITEM SUMMARY**

Meeting Date: August 16, 2006

Division: Growth Management

Bulk Item: Yes ☐ No ☒

Department: Planning and Environmental Res.

Staff Contact Person: Ty Symroski

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**AGENDA ITEM WORDING:**

MONROE COUNTY PLANNING DEPARTMENT is requesting a Land Use District Map Amendment from Sparsely Settled (SS) to Parks and Refuge (PR) for property legally described as Island of Key Largo, PB4-83 Pt. Gov. Lot 9, Section 6, Township 59S, Range 41E, Monroe County, Florida, having Real Estate Number: 00081660.000100.

**(first of one public hearing)**

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**ITEM BACKGROUND:**

This is a Planning Department-sponsored amendment. The Development Review Committee held a public hearing on this matter on April 11, 2006 and recommended approval of the amendment. The Planning Commission held a public hearing on this matter on June 28, 2006 and recommended approval of the amendment.

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**PREVIOUS RELEVANT BOCC ACTION:** None

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**CONTRACT/AGREEMENT CHANGES:** N/A

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**STAFF RECOMMENDATIONS:** Approval

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**TOTAL COST:** N/A

**BUDGETED:** Yes ☐ No ☐

**COST TO COUNTY:** N/A

**SOURCE OF FUNDS:** \_\_\_\_\_

**REVENUE PRODUCING:** Yes ☐ No ☐

**AMOUNT PER MONTH** \_\_\_\_\_ **Year** \_\_\_\_\_

**APPROVED BY:** County Atty X OMB/Purchasing \_\_\_\_\_ Risk Management \_\_\_\_\_

**DIVISION DIRECTOR APPROVAL:**

TJ / 8/14/2-6  
Ty Symroski

**DOCUMENTATION:** Included X Not Required ☐

**DISPOSITION:** \_\_\_\_\_

**AGENDA ITEM #** \_\_\_\_\_

**MONROE COUNTY**

**LAND USE DISTRICT MAP AMENDMENT FROM  
SPARSELY SETTLED (SS) TO PARKS & REFUGE (PR)**

**BOARD OF COUNTY COMMISSIONERS  
KEY LARGO  
AUGUST 16, 2006**

**PROPOSED LAND USE DISTRICT MAP AMENDMENT  
SPARSELY SETTLED (SS) TO PARKS & REFUGE (PR)**

**A REQUEST BY THE MONROE COUNTY PLANNING DEPARTMENT FOR A  
LAND USE DISTRICT MAP AMENDMENT FROM SPARSELY SETTLED (SS)  
TO PARKS AND REFUGE (PR) FOR PROPERTY LEGALLY DESCRIBED AS  
ISLAND OF KEY LARGO, PB4-83 PT. GOV. LOT 9, SECTION 6, TOWNSHIP  
59S, RANGE 41E, MONROE COUNTY, FLORIDA, HAVING REAL ESTATE  
NUMBER: 00081660.000100.**

**RECOMMENDATIONS**

**DRC: April 11, 2006  
PC: June 28, 2006**

**BOCC ORDINANCE TO AMEND  
THE  
LAND USE DESIGNATION MAP**



**ORDINANCE NO.:**

AN ORDINANCE BY THE MONROE COUNTRY BOARD OF COUNTY COMMISSIONERS **APPROVING** THE REQUEST FILED BY MONROE COUNTY PLANNING TO AMEND THE LAND USE DESIGNATION MAP (ZONING) FROM SPARSELY SETTLED (SS) TO PARKS & REFUGE (PR) FOR PROPERTY DESCRIBED AS GOVERNMENT LOT 9, PB4-83, SECTION 6, TOWNSHIP 59 SOUTH, RANGE 41 EAST, OCEAN REEF, KEY LARGO, MONROE COUNTY, FLORIDA, HAVING REAL ESTATE NUMBER: 00081660.000100

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**WHEREAS**, the Monroe County Board of County Commissioners, during a regular meeting held on August 16, 2006 conducted a review and consideration of the request filed by Monroe County Planning to amend the land use designation map from Sparsely Settled (SS) to Parks and Refuge (PR) for property described as described as Government Lot 9, PB4-83, Section 6, Township 59 South, Range 41 East, Ocean Reef, Key Largo, Monroe County, Florida, having real estate number: 00081660.000100; and

**WHEREAS**, the Monroe County Planning Commission, during a regular meeting held on June 28, 2006 conducted a review of these same requests and recommended approval to the Board of County Commissioners; and

**WHEREAS**, the Monroe County Development Review Committee, during regular meetings held on April 11, 2006 conducted a review and consideration of these same requests and recommended approval to the Planning Commission; and

**WHEREAS**, the Board of County Commissioners examined the staff report prepared by Julianne Thomas, Planner on July 27, 2006; and

**WHEREAS**, the Board of County Commissioners makes the following **Findings of Fact**:

1. **Section 9.5-511 (d)(5)b** of the Monroe County Code (MCC) allows the Board of County Commissioners to consider adopting an ordinance to enact map changes under six listed conditions.
2. In accordance with **Section 9.5-511 (d) (5) (b):**
  - (ii.) **Changed assumptions:**

ORC is a gated, private community committed to meeting the commercial and communication needs of its residents on site.
  - (iv.) **New issues**

Staff discovered this portion this parcel had a different land use designation which is inconsistent with the FLUM. The land use designation does not reflect either the current or projected use.

**(v.) Recognition of a need for additional detail or comprehensiveness:**

It is important that the land use designation reflect current and projected use as well as be consistent with the FLUM. Staff is requesting this change in order to meet those goals.

3. The subject property was zoned GU prior to 1986. This designation was for a general use district with the purpose of establishing an interim land classification pending action to rezone the property for another use.
4. The subject property was assigned zoning of Sparsely Settled (SS) in 1986.
5. The Future Land Use Map of the Monroe County Year 2010 Comprehensive Plan, which took effect on January 4, 1996, followed the land use district boundary and designated a future land use category of Recreation (R) for the SS parcel.
6. A land use designation of Parks & Refuge (PR) would accurately reflect the current use of the parcel and be consistent with the FLUM category of R.
7. **Section 9.5-511** prohibits any map amendments that would negatively impact community character. No negative impacts were identified.
8. **Objective 101.11** states that Monroe County shall ensure that at the time a development permit is issued, adequate public facilities are available to serve the development at the adopted level of service standards concurrent with the impacts of such development.
9. The **2005 Public Facilities Capacity Assessment Report** and the listed programs for stormwater and wastewater indicate that there are no significant concerns.

**WHEREAS**, the Board of County Commissioners makes the following **Conclusions of Law:**

1. This map amendment meets criteria (ii), (iv), and (v) outlined in Section 9.5-511 of the Monroe County Land Development Regulations.
2. This map amendment will not result in a negative impact or alter the character of the properties or the immediate vicinity.
3. Based on the Findings of Facts presented, the proposed land use designation is appropriate for this property and will allow the owners to make full use of the subject property.

**NOW THEREFORE, BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF MONROE COUNTY, FLORIDA THAT:**

**Section 1.** The Board specifically adopts the findings of fact and conclusions of law stated above.

**Section 2.** The Land Use Designation Map of Monroe County shall be amended as shown in on the attached map, hereby incorporated by reference and attached as Exhibit 1.

**Section 3.** If any section, subsection, sentence, clause, item, change or provision of this ordinance is held invalid, the remainder of this ordinance shall not be affected by such invalidity.

**Section 4.** This ordinance shall be filed in the Office of the Secretary of State of the State of Florida but shall not become effective until a notice is issued by the Department of Community Affairs or Administration Commission approving the ordinance.

**PASSED AND ADOPTED** by the Board of County Commissioners of Monroe County, Florida at a regular meeting held on the \_\_\_\_\_ day of \_\_\_\_\_ 2007.

Mayor Charles "Sonny" McCoy \_\_\_\_\_  
Mayor Pro Tem, Dixie Spehar \_\_\_\_\_  
Commissioner George Neugent \_\_\_\_\_  
Commissioner \_\_\_\_\_ \_\_\_\_\_  
Commissioner Glenn Patton \_\_\_\_\_

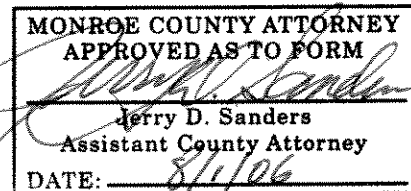
BOARD OF COUNTY COMMISSIONERS  
OF MONROE COUNTY, FLORIDA

BY \_\_\_\_\_  
Mayor Charles "Sonny" McCoy

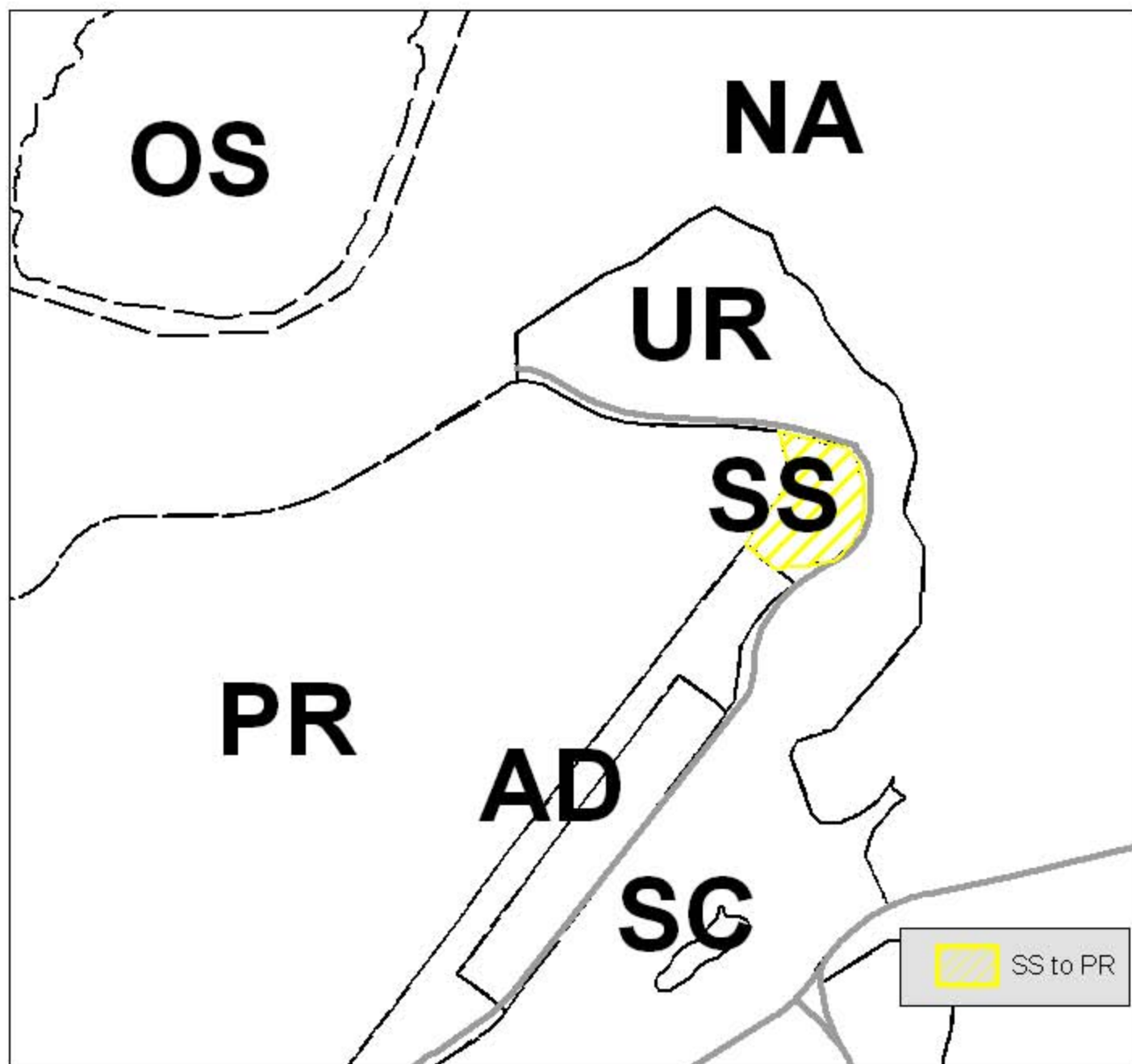
(SEAL)

ATTEST: DANNY L. KOLHAGE, CLERK

\_\_\_\_\_  
DEPUTY CLERK



## EXHIBIT 1: LAND USE DESIGNATION MAPS



**The Monroe County Land Use Map is proposed to be amended  
as indicated above and briefly described as:**

Key: Key Largo

Mile Marker: Ocean Reef Club

Proposal: Change Land Use Map Designation from  
Sparsely Settled (SS) to Park & Refuge (PR)

Property Description: RE 00081660.000100

Map Amendment:



Land Use District Map #: 54



### Proposed Land Use Designation Map Amendment: Aerial

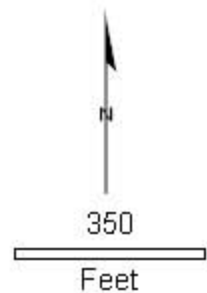
Key: Key Largo

Mile Marker: Ocean Reef Club

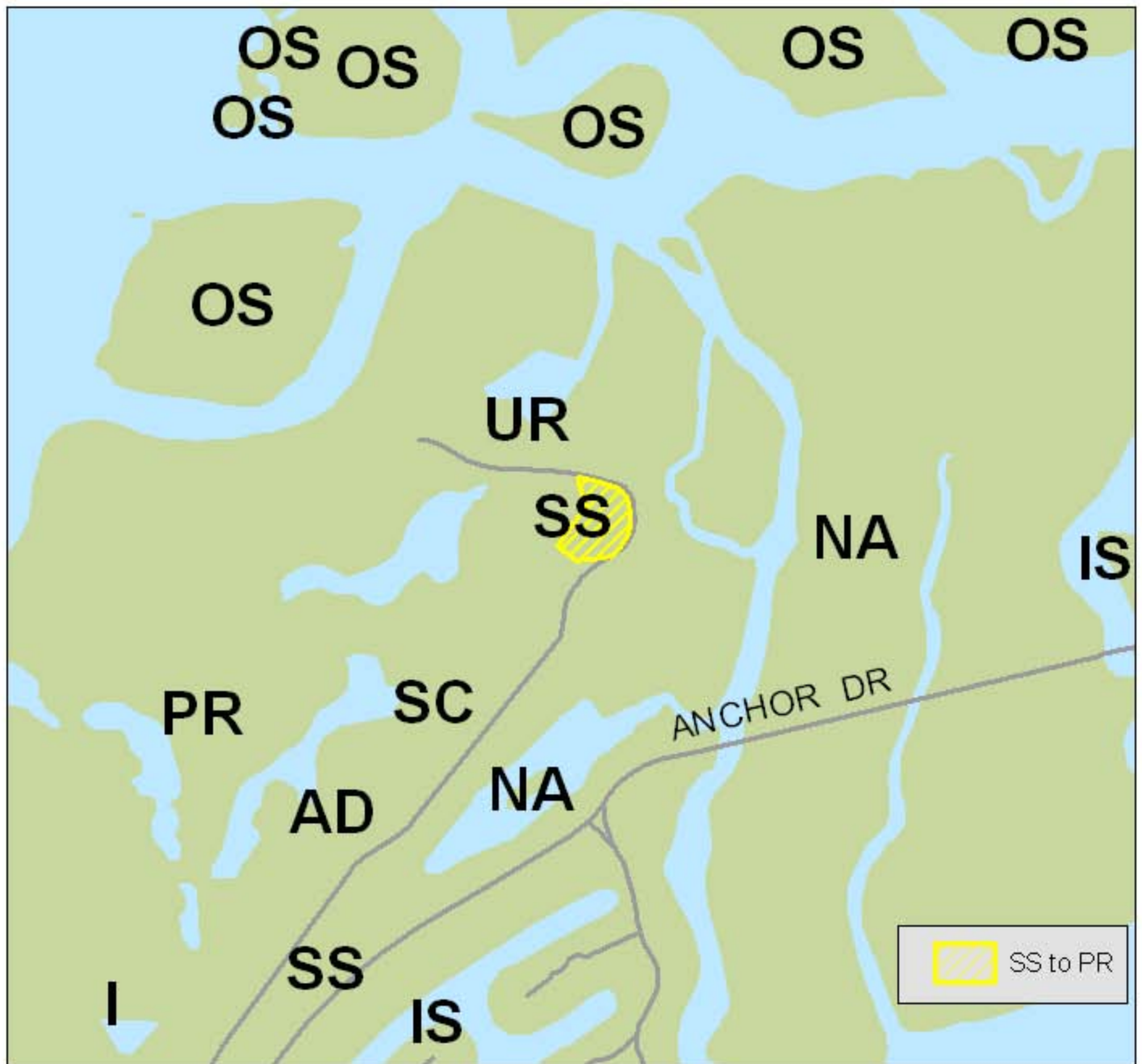
Proposal: Change Land Use Map Designation from  
Sparsely Settled (SS) to Park & Refuge (PR)

Property Description: RE 00081660.000100

Map Amendment:



Land Use District Map #: 54



### Proposed Land Use Designation Map Amendment: Street Map

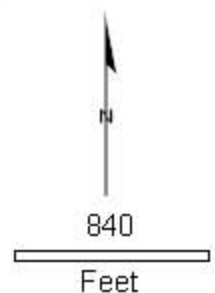
Key: Key Largo

Mile Marker: Ocean Reef Club

Proposal: Change Land Use Map Designation from  
Sparsely Settled (SS) to Park & Refuge (PR)

Property Description: RE 00081660.000100

Map Amendment:



Land Use District Map #: 54

## PLANNING COMMISSION RESOLUTION



**PLANNING COMMISSION RESOLUTION NO.:**

A RESOLUTION BY THE MONROE COUNTRY PLANNING COMMISSION RECOMMENDING APPROVAL TO THE BOARD OF COUNTY COMMISSIONERS OF THE REQUEST FILED BY MONROE COUNTY PLANNING TO AMEND THE LAND USE DESIGNATION MAP (ZONING) FROM SPARSELY SETTLED (SS) TO PARKS & REFUGE (PR) FOR PROPERTY DESCRIBED AS GOVERNMENT LOT 9, PB4-83, SECTION 6, TOWNSHIP 59 SOUTH, RANGE 41 EAST, OCEAN REEF, KEY LARGO, MONROE COUNTY, FLORIDA, HAVING REAL ESTATE NUMBER: 00081660.000100

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**WHEREAS**, the Monroe County Planning Commission, during a regular meeting held on June 28, 2006 conducted a review and consideration of the request filed by Monroe County Planning to amend the land use designation map from Sparsely Settled (SS) to Parks and Refuge (PR) for property described as described as Government Lot 9, PB4-83, Section 6, Township 59 South, Range 41 East, Ocean Reef, Key Largo, Monroe County, Florida, having real estate number: 00081660.000100; and

**WHEREAS**, the Monroe County Development Review Committee, during a regular meeting held on April 11, 2006 conducted a review and consideration of the request filed by Monroe County Planning to amend the land use designation map from Sparsely Settled (SS) to Parks and Refuge (PR) for property described as described as Government Lot 9, PB4-83, Section 6, Township 59 South, Range 41 East, Ocean Reef, Key Largo, Monroe County, Florida, having real estate number: 00081660.000100; and recommended approval to the Planning Commission; and

**WHEREAS**, the Planning Commission examined the staff report prepared by Julianne Thomas, planner on June 21, 2006; and

**WHEREAS**, the Planning Commission made the following **Findings of Fact:**

1. **Section 9.5-511 (d)(5)b** of the Monroe County Code (MCC) allows the Board of County Commissioners to consider adopting an ordinance to enact map changes under six listed conditions.
2. In accordance with **Section 9.5-511 (d) (5) (b):**
  - (ii.) **Changed assumptions:**

ORC is a gated, private community committed to meeting the commercial and communication needs of its residents on site.

(iv.) **New issues**

Staff discovered this portion this parcel had a different land use designation which is inconsistent with the FLUM. The land use designation does not reflect either the current or projected use.

**(v.) Recognition of a need for additional detail or comprehensiveness:**

It is important that the land use designation reflect current and projected use as well as be consistent with the FLUM. Staff is requesting this change in order to meet those goals.

3. The subject property was zoned GU prior to 1986. This designation was for a general use district with the purpose of establishing an interim land classification pending action to rezone the property for another use.
4. The subject property was assigned zoning of Sparsely Settled (SS) in 1986.
5. The Future Land Use Map of the Monroe County Year 2010 Comprehensive Plan, which took effect on January 4, 1996, followed the land use district boundary and designated a future land use category of Recreation (R) for the SS parcel.
6. A land use designation of Parks & Refuge (PR) would accurately reflect the current use of the parcel and be consistent with the FLUM category of R.
7. **Section 9.5-511** prohibits any map amendments that would negatively impact community character. No negative impacts were identified.
8. **Objective 101.11** states that Monroe County shall ensure that at the time a development permit is issued, adequate public facilities are available to serve the development at the adopted level of service standards concurrent with the impacts of such development.
9. The **2005 Public Facilities Capacity Assessment Report** and the listed programs for stormwater and wastewater indicate that there are no significant concerns.

**WHEREAS**, the Planning Commission made the following **Conclusions of**

**Law:**

1. This map amendment meets criteria (ii), (iv), and (v) outlined in Section 9.5-511 of the Monroe County Land Development Regulations.
2. This map amendment will not result in a negative impact or alter the character of the properties or the immediate vicinity.
3. Based on the Findings of Facts presented, the proposed land use designation is appropriate for this property and will allow the owners to make full use of the subject property.

**NOW THEREFORE, BE IT RESOLVED BY THE PLANNING COMMISSION OF MONROE COUNTY, FLORIDA**, to recommend **APPROVAL** to the Monroe County Board of County Commissioners of the request filed by Monroe County Planning to amend the land use designation map from Sparsely Settled (SS) to Parks and Refuge (PR) for property described as described as Government Lot 9, PB4-83, Section 6, Township 59 South, Range 41 East, Ocean Reef, Key Largo, Monroe County, Florida, having real estate number: 00081660.000100.

**PASSED AND ADOPTED** by the Planning Commission of Monroe County, Florida, at a regular meeting held on the 28<sup>th</sup> day of June 2006.

Chair James D. Cameron	<u>YES</u>
Commissioner Sherry Popham	<u>YES</u>
Commissioner Randy D. Wall	<u>YES</u>
Commissioner Michelle Cates-Deal	<u>YES</u>
Commissioner Donna Windle	<u>YES</u>

PLANNING COMMISSION OF MONROE COUNTY, FLORIDA

By \_\_\_\_\_  
James D. Cameron, Chair

Signed this \_\_\_\_\_ day of \_\_\_\_\_, 2006

## DEVELOPMENT REVIEW COMMITTEE RESOLUTION



### **DEVELOPMENT REVIEW COMMITTEE**

A RESOLUTION BY THE MONROE COUNTY DEVELOPMENT REVIEW COMMITTEE RECOMMENDING APPROVAL TO THE PLANNING COMMISSION OF THE REQUEST FILED BY MONROE COUNTY PLANNING TO AMEND THE LAND USE DESIGNATION MAP (ZONING) FROM SPARSELY SETTLED (SS) TO PARKS & REFUGE (PR) FOR PROPERTY DESCRIBED AS GOVERNMENT LOT 9, PB4-83, SECTION 6, TOWNSHIP 59 SOUTH, RANGE 41 EAST, OCEAN REEF, KEY LARGO, MONROE COUNTY, FLORIDA, HAVING REAL ESTATE NUMBER: 00081660.000100

**WHEREAS**, the Monroe County Development Review Committee, during a regular meeting held on April 11, 2006 conducted a review and consideration of the request filed by Monroe County Planning to amend the land use designation map from Sparsely Settled (SS) to Parks and Refuge (PR) for property described as described as Government Lot 9, PB4-83, Section 6, Township 59 South, Range 41 East, Ocean Reef, Key Largo, Monroe County, Florida, having real estate number: 00081660.000100; and

**WHEREAS**, the Development Review Committee examined the staff report prepared by Julianne Thomas, planner on March 31, 2006; and

**WHEREAS**, the Development Review Committee made the following **Findings of Fact**:

1. **Section 9.5-511 (d)(5)b** of the Monroe County Code (MCC) allows the Board of County Commissioners to consider adopting an ordinance to enact map changes under six listed conditions.
2. In accordance with **Section 9.5-511 (d) (5) (b)**:
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ORC is a gated, private community committed to meeting the commercial and communication needs of its residents on site.
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It is important that the land use designation reflect current and projected use as well as be consistent with the FLUM. Staff is requesting this change in order to meet those goals.

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8. **Objective 101.11** states that Monroe County shall ensure that at the time a development permit is issued, adequate public facilities are available to serve the development at the adopted level of service standards concurrent with the impacts of such development.
9. The **2005 Public Facilities Capacity Assessment Report** and the listed programs for stormwater and wastewater indicate that there are no significant concerns.

**WHEREAS**, the Development Review Committee made the following

**Conclusions of Law:**

1. This map amendment meets criteria (ii), (iv), and (v) outlined in Section 9.5-511 of the Monroe County Land Development Regulations.
2. This map amendment will not result in a negative impact or alter the character of the properties or the immediate vicinity.
3. Based on the Findings of Facts presented, the proposed land use designation is appropriate for this property and will allow the owners to make full use of the subject property.

**NOW THEREFORE, BE IT RESOLVED BY THE DEVELOPMENT REVIEW COMMITTEE OF MONROE COUNTY, FLORIDA**, to recommend **APPROVAL** to the Monroe County Planning Commission of the request filed by Monroe County Planning to amend the land use designation map from Sparsely Settled (SS) to Parks and Refuge (PR) for property described as described as Government Lot 9, PB4-83, Section 6, Township 59 South, Range 41 East, Ocean Reef, Key Largo, Monroe County, Florida, having real estate number: 00081660.000100.

**PASSED AND ADOPTED** by the Development Review Committee of Monroe County at a regular meeting held on the 11<sup>th</sup> day of April, 2006.

Heather Beckmann, Sr. Planner	<u>YES</u>
Ralph Gouldy, Sr. Administrator of Environmental Resources	<u>YES</u>
Clarence Feagin, Sr. Planner	<u>YES</u>
Julianne Thomas, Planner	<u>YES</u>
Department of Health (by FAX)	<u>YES</u>

Department of Public Works (by FAX)  
Department of Engineering (by FAX)

YES  
YES

DEVELOPMENT REVIEW COMMITTEE OF  
MONROE COUNTY, FLORIDA

By \_\_\_\_\_  
Heather Beckmann, DRC Chair

Signed this \_\_\_\_\_ day of \_\_\_\_\_, 2006

## STAFF REPORT

## **Memorandum**

To: Board of County Commissioners  
From: Julianne Thomas, Planner  
Alex Score, Biologist  
Date: July 27, 2006  
Re: Request for Land Use District Map Amendment

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**MEETING DATE:** August 16, 2006

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**RE NUMBER:** 00081660.000100  
**EXISTING FUTURE LAND USE MAP DESIGNATION:** Recreation (R)  
**PROPOSED FUTURE LAND USE MAP DESIGNATION:** Recreation (R)  
**EXISTING ZONING DESIGNATION:** Sparsely Settled (SS)  
**PROPOSED ZONING DESIGNATION:** Park & Refuge (PR)  
**PROPERTY OWNER:** Card Sound Golf Club, Inc.  
**AGENT:** None.

### **PROPERTY INFORMATION**

**Key:** Key Largo **Mile Marker:** Ocean Reef  
**Size of Parcel:** 741,106.72 S.F. or 17.01 acres; 2.4 acres being changed

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#### **Location Detail & Brief Description:**

The property is located on Key Largo in Ocean Reef. This property is part of the Card Sound Golf Course with the airport runway to the southeast. The property is legally described as part of Government Lot 9, PB4-83, Section 6, Township 59 South, Range 41 East, Ocean Reef, Key Largo, Monroe County, Florida, having real estate number: 00081660.000100.

#### **Existing Use:**

A portion of the parcel has a designation SS and is next to the Card Sound Golf Course covered with grass, trees and shrubs. The remainder of the parcel is the golf course, holes 6 and 7.

#### **Existing Habitat:**

The property is disturbed with both native and exotic landscaping.

#### **Land Use and Habitat on the 1985 Existing Conditions Aerials:**

The 1985 existing conditions aerials classify this disturbed with exotics.

#### **Neighboring Land Uses and Character:**

The surrounding properties are a variety of uses. Most of the parcels are contained by the golf course or open space. The airport runway is to the southeast.

### **ZONING AND LAND USE HISTORY**

#### **Pre – 1986 Zoning:**

The subject property was zoned GU prior to 1986. This designation was for a general use district with the purpose of establishing an interim land classification pending action to rezone the property for another use.

#### **Considerations during 1986 comprehensive plan process:**

During the 1986 revisions to the Monroe County Land Development Regulations and land use designations (Ordinance 33-1986 dated February 28, 1986), the subject property was re-designated as Sparsely Settled (SS) with a FLUM of Recreation (R).

#### **Consideration during the 2010 comprehensive plan Process:**

During the ensuing Comprehensive Plan process which culminated in the adoption of the Monroe County Year 2010 Comprehensive Plan in 1996, efforts were made to eliminate

inconsistencies between the existing Land Development Regulations and the newly formulated Comprehensive Plan and to apply Future Land Use Map (FLUM) designations that were consistent with the land use district designations. The property was given a FLUM designation of Recreation (R) which was inconsistent with the Sparsely Settled (SS) land use district designation.

**Map changes or boundary considerations since 1986:**

This section of this parcel was designated SS. The remainder of the parcel is Park and Refuge PR. The entire parcel has a FLUM of Recreation R.

**ANALYSIS AND RATIONAL FOR CHANGE (Pursuant to Section 9.5-511 (d) (5) b.)**

**(i.) Changed projections:**

None.

**(ii.) Changed assumptions:**

None.

**(iii.) Data errors:**

None.

**(iv.) New issues:**

Staff became aware that the FLUM was not changed for several areas in Ocean Reef that had land use designation changes in 1996. As part of the research to remove those inconsistencies, Staff discovered that this parcel was zoned SS with a FLUM of R and was being used for PR. Staff would like to remove this inconsistency and allow the current use of the parcel to be allowed to continue.

**(v.) Recognition of a need for additional detail or comprehensiveness:**

The current zoning of SS does not properly reflect the uses which occupy the parcel nor is it consistent with the FLUM of R. Staff would like to change the land use designation to PR to reflect the current use and make it consistent with the FLUM.

**(vi.) Data updates:**

None.

**IMPACT AND POLICY ANALYSIS**

**Comparison of development potential for the Current and Proposed Land Uses:**

**1. Current Land development regulations (LDR's)**

The property has a current Land Use designation of Sparsely Settled (SS) which is inconsistent with the Recreation (R) future land use map designation.

**Sec. 9.5-209. Purpose of the Sparsely Settled Residential District (SS)**

The purpose of the SS district is to establish areas of low-density residential development where the predominant character is native or open space lands.

**2. Potential Land Uses with Proposed Map Amendment**

Staff is requesting a land use designation change from SS to PR.

**Sec. 9.5-224. Purpose of the Park and Refuge District (PR).**

The purpose of the PR district is to establish and protect areas as parks, recreational areas and wildlife refuges. This change will accurately reflect use as well as be consistent with the FLUM.

**Compatibility with adjacent land uses and effects on community character:***Density and Intensity*Allocated and Max Net Density Permitted Per Acre

Sparsely Settled		Park & Refuge	
Allocated Density	Open Space	Allocated Density	Open Space
0.5	0.8	0.25	0.9

The maximum non-residential square footage permitted is as follows, the ultimate square footage allowed is dependant on compliance with all Monroe County Code requirements:

Commercial Maximum Floor Area Ratio Permitted

Sparsely Settled			Park & Refuge		
	MFAR	OSR		MFAR	OSR
Beekkeeping			Active & Passive Recreational		
*Community Pool					
*Park					
*Public Building	0.20	0.20	Public Buildings	0.20	0.9
*Minor Conditional Use			*Minor Conditional Use		
per §9.5-267			per §9.5-267		

**Use Compatibility**

This property is adjacent to and includes portions of the golf course. It is suitable for open space and recreation purposes.

**Effects on Natural Resources Goal 102**

Goal 102 of the Year 2010 Comprehensive Plan states that Monroe County shall direct future growth to lands which are intrinsically most suitable for development and shall encourage conservation and protection of environmentally sensitive lands. Future development would be required to comply with all Monroe County Code, State and Federal environmental regulations. The Land use designation change will allow the parcel to be used for recreation and open space services.

**Effects on Public Facilities: Objective 101.11**

Monroe County shall implement measures to direct future growth away from environmentally sensitive land and towards established development areas served by existing public facilities. The proposed Land Use District Map amendments will not affect Objective 101.11.

**Local Traffic, Parking, and Traffic Circulation**

The subject property is located in Ocean Reef, a gated community with limited access to non-members. Much of the travel within Ocean Reef is conducted using golf carts and staff has no evidence that there will be any local traffic, parking or traffic circulation issues created.

**Effects on Public Facilities**

ORC provides many of its own services in terms and anticipates no problem continuing to meet the community needs if this amendment is approved and enacted.

### **FINDINGS OF FACT AND CONCLUSIONS OF LAW:**

1. **Section 9.5-511 (d)(5)b** of the Monroe County Code (MCC) allows the Board of County Commissioners to consider adopting an ordinance to enact map changes under six listed conditions.
2. In accordance with **Section 9.5-511 (d) (5) (b):**
  - (iv.) **New issues**

Staff discovered this portion this parcel had a different land use designation which is inconsistent with the FLUM. The land use designation does not reflect either the current or projected use.
  - (v.) **Recognition of a need for additional detail or comprehensiveness:**

It is important that the land use designation reflect current and projected use as well as be consistent with the FLUM. Staff is requesting this change in order to meet those goals.
3. The subject property was zoned GU prior to 1986. This designation was for a general use district with the purpose of establishing an interim land classification pending action to rezone the property for another use.
4. The subject property was assigned zoning of Sparsely Settled (SS) in 1986.
5. The Future Land Use Map of the Monroe County Year 2010 Comprehensive Plan, which took effect on January 4, 1996, followed the land use district boundary and designated a future land use category of Recreation (R) for the SS parcel.
6. A land use designation of Parks & Refuge (PR) would accurately reflect the current use of the parcel and be consistent with the FLUM category of R.
7. **Section 9.5-511** prohibits any map amendments that would negatively impact community character. No negative impacts were identified.
8. **Objective 101.11** states that Monroe County shall ensure that at the time a development permit is issued, adequate public facilities are available to serve the development at the adopted level of service standards concurrent with the impacts of such development.
9. The **2005 Public Facilities Capacity Assessment Report** and the listed programs for stormwater and wastewater indicate that there are no significant concerns.

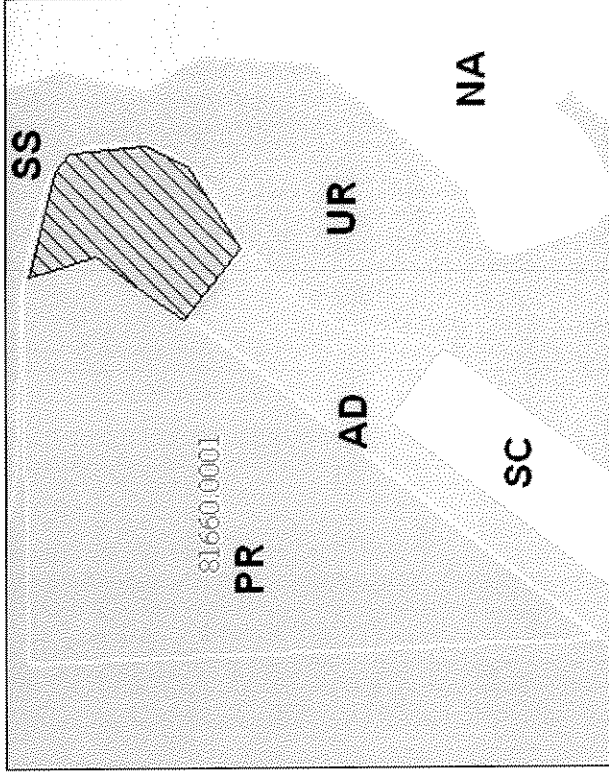
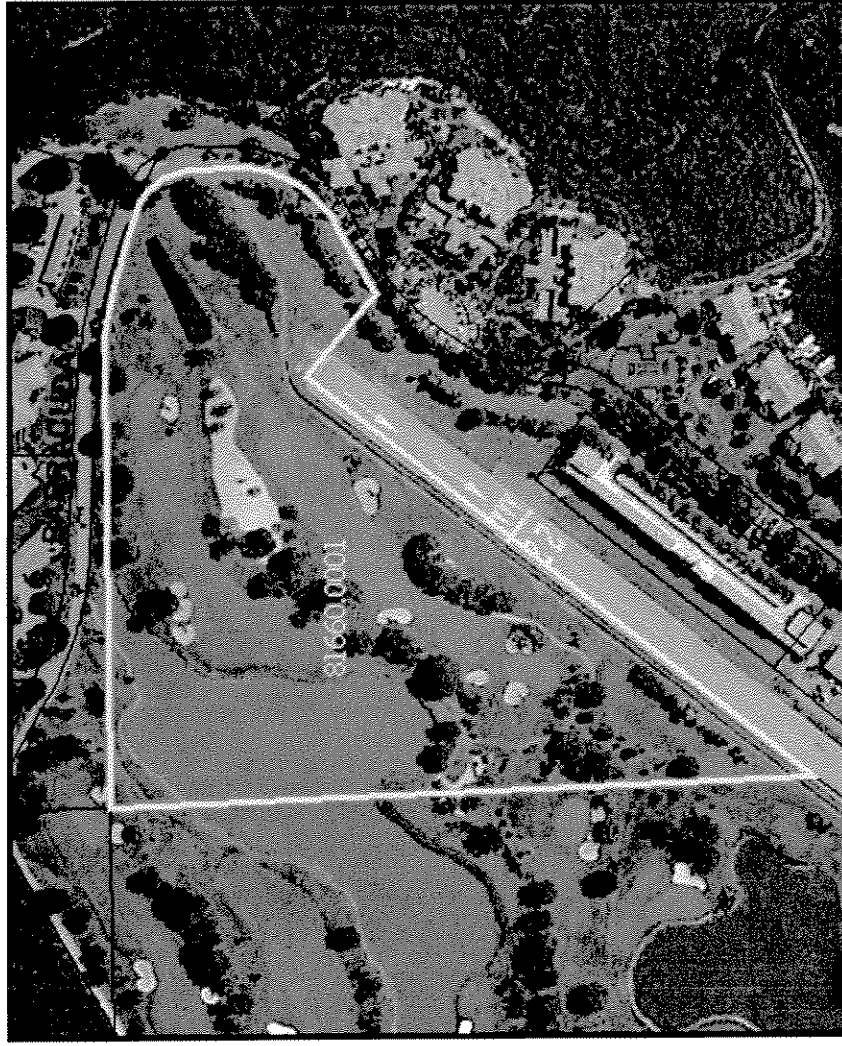
### **CONCLUSIONS OF LAW:**

1. This map amendment meets criteria (iv) and (v) outlined in Section 9.5-511 of the Monroe County Land Development Regulations.
2. This map amendment will not result in a negative impact or alter the character of the properties or the immediate vicinity.
3. Based on the Findings of Facts presented, the proposed land use designation is appropriate for this property and will allow the owners to make full use of the subject property.

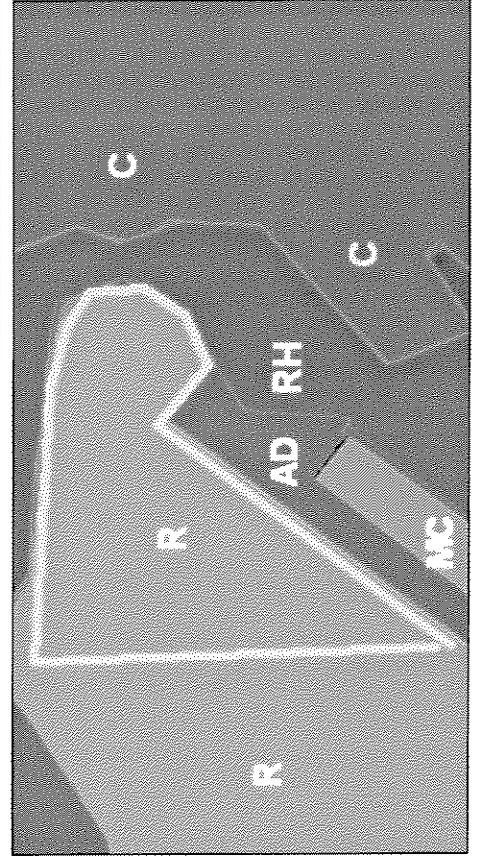
### **RECOMMENDATION:**

Based on the above Findings of Fact and Conclusions of Law, staff recommends **APPROVAL** to the Board of County Commissioners for the proposed Land Use Designation Map amendment from Sparsely Settled (SS) to Park and Refuge (PR) for RE# 00081660.000100.

# Ocean Reef Map II



The land use designation map is changing. The hatched area is changing from Sparsely Settled (SS) to Park & Refuge (PR).



The future land use map is not changing.